

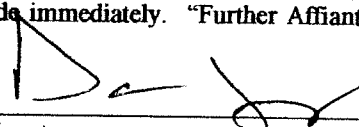
STATE OF TEXAS        }  
                              }  
COUNTY OF TRAVIS    }       EMERGENCY PURCHASE AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared David Juarez, P.E. who being by me first duly sworn, upon oath depose and stated: "My name is David Juarez, I am over eighteen (18) years of age. I am the Assistant Director acting on behalf of the Director of the City of Austin Water Utility. I have personal knowledge of the facts set forth below and am competent and authorized to make this affidavit.

On Saturday, July 21, 2007, the Great Hills Lift Station, located at 9009 ½ Spice Brush Drive experienced a failure when an electrical conduit broke and allowed groundwater to infiltrate and flow into the dry well of the lift station. The conduit entered the facility immediately above a motor control panel destroying all electrical controls at the station. On Saturday, a temporary repair was made on wiring around the existing controls. The station was placed back in operation using temporary electrical utility power and temporary electrical controls utilizing a portable trailer. The repairs made do not offer a long term reliable solution; it has safety concerns and reliability concerns.

To restore this lift station to proper operations will require an emergency repair. It is anticipated that this will cost \$250,000. This repair will include replacing the control panel, reconnecting the motor controls, reconnecting the ventilation fan, stopping the water leak, shielding the new control panel, new pressure switches and level instrumentation.

The situation described above is a public calamity that required the immediate appropriation of money to relieve the necessity of the municipality. I am familiar with state and local laws relating to competition and bidding requirements and realize that willful violations of these laws can subject me to criminal sanctions. I understand further that the Charter of the City of Austin does not exempt emergency purchases from the requirement of competition. However, I believe that the time required allowing competition would place the municipality's residents or property in further danger and that my fiduciary responsibilities to the City of Austin require that the emergency purchase of (item/service) be made immediately. "Further Affiant sayeth not."

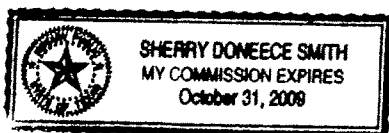
  
\_\_\_\_\_  
Signature

David Juarez, P.E.  
\_\_\_\_\_  
Print Name

STATE OF TEXAS        }  
                              }  
COUNTY OF TRAVIS    }

BEFORE ME, the undersigned notary public, personally appeared David Juarez, P.E. (the "claimant") known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that Claimant executed the same for the purpose and consideration therein expressed, in the capacity therein stated, and that each and every statement therein is within Claimant's knowledge and is true and correct.

Given under my hand and seal of office on the 25th day of July 2007.



  
NOTARY PUBLIC, STATE OF TEXAS

Sherry Doneece Smith  
\_\_\_\_\_  
Printed Name of Notary

My Commission Expires: 10-31-09